

US EPA RECORDS CENTER REGION 5



488428

MEMORANDUM

DATE: May 5, 1980
TO: Division File
FROM: Charles Gebien/John Evans
SUBJECT: Cook County -- LPC 03160046 -- Chicago/J.P. Rubbish
(Emergency Response)

DAILY LOG OF ACTIVITIES

Friday, 3/21/80

I, Mr. Charles Gebien of the IEPA/DLPC arrived at the J.P. Rubbish site at 40th and Ashland at 6:00 a.m. and found no one else present. At this time, I inspected, photographed, and sketched the site.

Mr. George Diepstra of J.P. Rubbish arrived at 9:00 a.m. Upon his arrival, I informed Mr. Diepstra of my function at the site as outlined by the temporary restraining order. Mr. Diepstra informed me that he would begin operations on his own until his friend Mr. Donald Sumerville and a driver from National Scavanging Service, Inc. arrived. Mr. Diepstra proceeded to load a JP roll-off container and hauled it to the Blue Island/Sexton sanitary landfill. When Mr. John Triggelaar, a hauler from National Scavanging Service, Inc. arrived, Mr. Diepstra returned and continued the operation of the front end loader. The operation continued throughout the day utilizing Mr. Triggelaar as the hauler and Mr. Diepstra as the loader. At about 12:30 Mr. Kent, George Diepstra's attorney, arrived on the site to assess the situation and left shortly thereafter. Mr. D. Konstantelos, a representative of the Penn Central Railroad, arrived on site at 1:00 p.m. and inspected the clean-up progress on behalf of the Penn Central Railroad which is the alleged owner of the site property. Mr. Konstantelos indicated that the Railroad Company had no knowledge of Mr. Diepstra's dumping activities and was considering filing suit against Mr. Diepstra. Mr. Konstantelos left the site at about 12:30 p.m. At 3:15 p.m., the front end loader stalled and would not start. Mr. Diepstra suspected a faulty battery. Mr. Diepstra and myself left the site at 3:45 p.m.

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Saturday, 3/22/80

Mr. Charles Gebien of the IEPA/DLPC arrived on site at 3:45 p.m. for the purpose of observing any unsupervised activities. No activity was observed on site. Inspection of site revealed no changes since Friday afternoon, 3/21/80. I left the site at 4:30 p.m.

Monday, 3/24/80

Mr. Charles Gebien of the IEPA/DLPC arrived on site at 6:10 a.m. No one else was present upon my arrival. Inspection of the site revealed no activity at the site since Friday afternoon. Mr. John Tiggelaar, a National Scavenger Service hauler arrived at the site at about 7:30 a.m. Mr. Tiggelaar told me that the front end loader was having mechanical difficulties and would not start, and that Diepstra and Mr. Sumerville were in the process of repairing the loader in a nearby garage. At 10:00 a.m. Mr. Curtis Austin of the Chicago Department of Energy and Environmental Protection arrived on site, made an inspection of the site, and left shortly thereafter. Mr. Diepstra arrived on site at 11:00 a.m. with the repaired front end loader. Loading and hauling activities ceased at 3:00 p.m. I then left the site at 3:30 p.m.

Tuesday, 3/25/80

Mr. Charles Gebien and Mr. John Evans of the IEPA/DLPC arrived on the site at 6:00 a.m. During the first load of the day the hauler experienced a flat tire at the landfill at approximately 7:00 a.m. and did not return till 10:00 a.m. Four representatives of the Illinois Attorney General's office arrived on site at 3:15 p.m. and inspected the progress of clean up. Activities ended at 4:15 p.m.

Wednesday, 3/26/80

Mr. Charles Gebien and Mr. John Evans of the IEPA/DLPC arrived on the site at 6:00 a.m. Inspection of the site revealed that the two red tanker trailers located in the northeast section of the site were removed. Upon Mr. Diepstra's arrival on site at 7:30 a.m. we asked if he had any knowledge of the tankers. Mr. Diepstra suggested that the owner of the neighboring gasoline station be contacted for information. Mr. Joseph Majchrowski, part owner of the Tulsa Power Service, Inc., 3958 South Ashland, Chicago, Illinois 60609 was then questioned. Mr. Majchrowski told me that he owned the red tankers and arranged for a person to haul away the empty tankers for scrap. Mr. Majchrowski could not remember the name of this person.

Mr. Joe Bach of the Chicago Department of Energy and Environmental Protection arrived at noon and inspected progress. Activities ceased at 3:00 p.m.

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Thursday, 3/27/80

Mr. Charles Gebien and Mr. John Evans of the IEPA/DLPC arrived on the site at 6:15 a.m. Operations ceased during midmorning for about 2 hours because of flat tires on the truck. We informed Mr. Diepstra that he should immediately make arrangements to obtain a supplemental permit for future disposal of on-site special waste. Mr. Diepstra replied that his attorney will handle the permit needs. Mr. Diepstra had to leave the site from 1-3 p.m. to attend a financial meeting with his creditors and attorney. Mr. John Evans and myself left the site at 3:30 p.m.

Friday, 3/28/80

Mr. Charles Gebien of the IEPA/DLPC arrived on site at 6:00 a.m. Inspection of the site revealed that the five one gallon cans marked "xylene" located in the northeast portion of the site had been punctured and drained. Further inspection indicated that these cans had been shot with a BB gun. Due to the highly evaporative nature of xylene, no pooled xylene was observed around the cans, but an odor of xylene was noticeable in the area. Upon Mr. Diepstra's and Mr. Sumerville's arrival on site at 7:00 a.m., I asked them if they had any knowledge of the incident. Neither indicated any knowledge of the incident. General refuse removal continued as usual throughout the day. At 12:30 p.m. Mr. D. Konstantelos, a representative of the Pen Central Railroad, visited the site. Mr. Konstantelos inspected clean-up progress on behalf of the Railroad, indicated that the Railroad had sold the property, and left the site. Operations ceased at 3:15 p.m.

Saturday, 3/29/80

Mr. Charles Gebien of the IEPA/DLPC arrived at the site at 6:00 a.m., at which time Mr. Diepstra began loading a roll-off container. At 6:30 a.m. four haulers from the National Scavenger Service arrived on site and dropped their roll-off containers. At approximately 12:00, hauling operations ceased and only approximately 60 cubic yards of the refuse pile remained on site. At this time I instructed Mr. Diepstra to load all special waste set aside from the general refuse pile into a single roll-off container. After the completion of this task, signs reading "Do Not Remove From Site" were attached to the container, and close-up photos of its contents were taken. At the end of the day's operation, Mr. Sumerville placed a lock and chain on the entry gate.

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Monday, 3/31/80

Mr. Charles Gebien and Mr. John Evans of the IEPA/DLPC arrived on site at 6:00 a.m. During that morning the final load of general refuse was removed from the general refuse pile, leaving only scattered litter in that area. Mr. Diepstra began loading scrap metal from various locations on the site, and removed the majority of the metal on site. Samples were taken from one of the drums marked U.S. Tobacco and from one of the drums marked Celotex Corporation. We informed Mr. Diepstra that an Agency representative could not be at the site on Tuesday, and that litter pickup could be carried out at that time as long as no special waste was tampered with. Mr. Sumerville requested that we return on Wednesday, 4/2/80 to photograph the site.

Wednesday, 4/2/80

Mr. John Evans and Mr. Charles Gebien of the IEPA/DLPC met with Mr. Sumerville at 1:45 p.m. and photographed the site. We reminded Mr. Sumerville of the need for supplemental permits for future disposal of the special wastes remaining on site. We left the site at approximately 2:30 p.m.

Wednesday, 4/9/80

Mr. John Evans and Mr. Charles Gebien visited the site on April 9, 1980 for the purpose of sampling special waste. Upon arrival at 9:00 a.m., the status of the site appeared to be unchanged from our last visit of Wednesday, 4/2/80. The east gate was chained and locked, litter consisting of general non-putrescible refuse remained throughout the site, and the special waste appeared to be intact.

Samples were taken of some of the special waste streams as indicated in the accompanying sample and inventory chart.

Monday, 4/14/80

At 2:00 p.m. on Monday, April 14, 1980 Mr. Charles Gebien, representing the IEPA/DLPC met with Mr. Edward Kent, attorney representing J.P. Disposal, and two chemists from Chemical Waste Management, Inc., Mr. Mahendra Sandesara and Mr. Bill Karpas at the request of Mr. John Van Vranken of the Illinois Attorney General's office. The purpose of this meeting, which took place at Mr. Kent's office, was to supply the IEPA with a copy of the latest Circuit Court order (see accompanying Court Order #80-CH-1810) and to then proceed to the nearby J.P. Rubbish site for the purpose of observing separation and sampling of special waste.

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Mr. Kent, Mr. Karpas, Mr. Sandesara and Mr. Gebien entered the site at approximately 2:45 p.m. Mr. Karpas and Mr. Sandesara proceeded to sample the twelve "55" gallon drums located in the northeast portion of the site (inventory #001-012). Mr. George Diepstra arrived at the site at approximately 3:00 p.m. and left at 3:15 p.m. During Mr. Diepstra's visit to the site, Mr. Ed Kent informed him that the special waste in the roll-off container had to be removed somehow in order for the chemists to obtain samples. Mr. Diepstra agreed and left.

After completing sampling of the 55 gallon drums we proceeded to the west central portion of the site for the purpose of sampling the four 20 gallon fiber drums containing bottled chemicals (inventory #013-016). While approaching the area, Mr. Kent observed that the drums had been emptied leaving no trace of the bottles. At this point, Mr. Kent exclaimed "Oh My God . . . someone is going to go to jail for this one". At this point, approximately 4:10 p.m., we left the site. Mr. Kent and Charles Gebien returned to Mr. Kent's office at 4600 South Ashland for the purpose of informing the Attorney General's office and the IEPA/DLPC, Northern FOS office of the incident. I returned to the site at 4:45 p.m., Mr. Diepstra had not returned. I left the site at 5:00 p.m.

Tuesday, 4/15/80

Mr. John Evans and Mr. Charles Gebien arrived at the site at approximately 8:30 a.m. for the purpose of observing any changes at the site from the previous day, and to observe any attempts to sample or sort the special waste contained within the designated special waste roll-off container. Mr. Evans and Mr. Gebien inspected the entire site and observed that the 16 gallon drum marked "Mobil" was also missing. We left the site at 9:45 a.m. to inspect another site in the area and returned to the J.P. Rubbish site at 12:00 noon. At this time Mr. Diepstra, Mr. Sumerville and Mr. Kent were at the site awaiting our arrival. Mr. Diepstra then proceeded to dump the special waste from the designated special waste roll-off container at which time the waste streams were sampled. The special waste was then reloaded into the roll-off container. At about 1:00 p.m. an Ace Refuse Disposal truck arrived at the site for the purpose of removing the 12 drums of liquid waste (inventory #001-012) to C.I.D. Landfill for temporary storage. The driver left the site without the drums after approximately 1/2 hour of waiting. He could not take the drums for two reasons: 1) the emergency permit for removal of the drums had not yet been cleared with the Permit Section. Mr. Kent and Mr. Sumerville had left the site at approximately 12:30 p.m. to call the Permit Section to assure clearance; 2) there was not enough personnel at the site to load the drums into the roll-off

container. At about 1:00 p.m. Charles Gebien left the site to call Mr. Kent's office, leaving John Evans at the site to supervise reloading of the waste. Mr. Kent assured us that an emergency permit had been granted. Charles Gebien then called the Permit Section and confirmed the issuance of this permit. Charles Gebien then returned to the site and rejoined John Evans. Mr. Diepstra, Mr. Sumerville, and Mr. Kent returned to the site and suggested that Mr. Diepstra transport the 12 drums to C.I.D. with a J.P. Rubbish roll-off container and truck. Because Mr. Diepstra is a licensed special waste hauler we ok'd the suggestion.

Upon completion of the reloading of the sorted and sampled solid special waste, Mr. Diepstra proceeded to load the 12 drums into a separate roll-off container. The remaining empty drums were placed on top of the 12 drums in the roll-off container and secured. We then proceeded at approximately 3:45 p.m. to transport the roll-off container containing the 12-55 gallon drums and empty drums to C.I.D. Landfill. Samples of the remaining solid special waste were transported along with the drums to C.I.D.'s lab. The samples were to be analyzed in order to obtain finalization of the emergency permit requirements for removal of the remaining on-site solid special waste.

Upon arrival at C.I.D. the roll-off container containing the drums was taken to the drum yard storage area. The 12 drums containing the liquid special waste were placed in metal drum sleeves to insure safe storage. After careful inspection of the empty drums it was decided that they could be recycled at Meyer Brother's Drum Company. Mr. Diepstra then reloaded the empty drums into the roll-off container and escorted them back to Dondo's Trucking garage (4300 South Ashland). We returned to the J.P. Rubbish site and left at approximately 6:00 p.m. The site contained some general refuse in two roll-off containers and some litter throughout the site. In addition to this, the one special waste roll-off container containing the special solid waste remained on-site awaiting disposal early the next day.

Wednesday, 4/16/80

Charles Gebien and John Evans of the IEPA/DLPC arrived on the site at 7:00 a.m. and found no changes at the site from the previous day. Analysis information for the solid special waste remaining on site had been supplied by C.I.D.'s laboratory by phone. Mr. Sandesara of C.I.D. laboratory indicated that none of the waste samples exhibited any hazardous characteristics. We then instructed Mr. Diepstra that the waste could be transported to C.I.D. Difficulties involving mechanical breakdown of the truck delayed hauling until 9:00 a.m. At that time we escorted the waste to C.I.D. where at approximately 10:00 a.m. it was landfilled. We then returned to the Aurora office.

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5/15/80

cc: Northern Region (2)
William C. Child